

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Barry N. KREISWIRTH *et al.*

Attorney Docket No: 19124.0012

Application No.: 10/073,256

Group Art Unit: 1631

Filed: February 13, 2002

Examiner: C. D. Ly

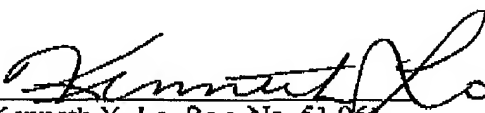
For: SYSTEM AND METHOD FOR TRACKING AND CONTROLLING INFECTIONS

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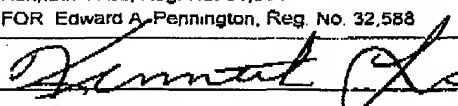
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/073,256	
	Filing Date	February 13, 2002	
	First Named Inventor	B. Kreiswirth	
	Group Art Unit	1631	
	Examiner Name	C. D. Ly	
Total Number of Pages in This Submission	8	Attorney Docket Number	19124 0012

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Statement Claiming Small Entity Status <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) 1. Certificate of Transmission 2. Preliminary Amendment

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kenneth Y. Lo, Reg. No. 51,961 FOR Edward A. Pennington, Reg. No. 32,588
Signature	
Date	October 13, 2003

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits the following amendments and remarks for entry and consideration prior to the examination of the above-identified application.

IN THE CLAIMS

Please amend the claims as follows:

1-50. (Canceled)

51. (New) A method for identifying a subspecies of *Staphylococcus aureus*, the method comprising:

obtaining a sample of a microorganism;

sequencing a first region of a nucleic acid from the microorganism sample;

comparing the first sequenced region with historical sequence data stored in a database, the historical sequence data comprising at least one *Staphylococcus aureus* sequence region; and

determining a measure of phylogenetic relatedness between the microorganism sample and a plurality of historical samples stored in the database,

wherein the at least one *Staphylococcus aureus* sequence region further comprises a forward primer upstream of the sequence and a reverse primer downstream of the sequence, and the forward primer and the reverse primer permit identification of a region of variable number tandem repeats.